

S:Shared/Grants/PO Revised Protocol (01/13/2011)

EPA PROJECT OFFICER POST-AWARD EVALUATION PROTOCOL
(USED FOR ADVANCED AND BASELINE MONITORING)
CHESAPEAKE BAY PROGRAM OFFICE (CBPO)

BACKGROUND INFORMATION (PART 1)

MID YEAR/SIX MONTH: Closeout: yes	GRANT NUMBER(s): FY 2008 CB-97364601	
1. DATE PREPARED: 11/14/11	2. RECIPIENT NAME: PA DEP	
3. ENTER ALL DATES: a. OFF-SITE CONFERENCE CALL DATE: 11/09/11 b. ON-SITE REVIEW DATE: N/A c. REPORT DATE: 11/14/11 (Date Report Sent by Email to Grantee) d. CLOSED DATE: 11/14/11 (Date all major issues resolved, if applicable, otherwise this date is same as Report Date.)	4. PROJECT OFFICER(s): Nita Sylvester PARTICIPANTS/PERSONS CONTACTED - EPA: Nita Sylvester - GRANTEE: Steve Taglang, Marjorie Hughes and David Lewis of PA DEP	
5. TYPE OF EVALUATION: Close-Out Monitoring Review		
6. <u>AWARD INFORMATION</u> Grant	8. <u>PROJECT / BUDGET PERIOD DATES:</u>	
	BEGINNING	ENDING
	Project Period: 7/1/08	6/30/11
	Budget Period: 7/1/08	6/30/11
7. <u>AWARD AMOUNT</u> EPA share: \$2,287,000 Recipient share/Match: \$2,287,000 Total: \$4,574,000	9. <u>BRIEF PROJECT DESCRIPTION:</u> Protect and improve water quality by managing nutrients and erosion within the PA portion of the Potomac and Susquehanna River Basins in the Chesapeake Bay watershed.	

10. PROVIDE BRIEF DESCRIPTION OF RECIPIENT:

Response: The state of PA is a signatory to the 1983, 1987 and 2000 Chesapeake Bay agreements. The DEP is the lead state agency for implementing Bay restoration and water quality improvement activities in the Potomac and Susquehanna river basins.

11. DESCRIBE THE GRANT WORK-PLAN COMMITMENTS:

1. **Program Management, Evaluation and Planning:** Provide administrative support and technical assistance to Chesapeake Bay programs and activities.
2. **TMDL Development:** DEP's Bureau of Water management and the SRBC will assist and support the development of sediment and nutrient TMDLs within the Susquehanna River Watershed in meeting requirements of the April 1997 Memorandum of Understanding (MOU) between DEP and EPA. This is for non-AMD TMDLs. SRBC and DEP will coordinate selection of stream segments for non-TMDL development. SRBC will develop non-AMD TMDLs employing various approved methods.
3. **CB Education (Mini-Grants, Workshops and Trainings):** Provide education that supports Pennsylvania's Chesapeake Bay program and addresses the elements of Pennsylvania's tributary strategy. Since 1986 the Pennsylvania Association of Conservation Districts, Inc. (PACD) has administered the PA Chesapeake Bay Education Office on behalf of the PA Department of Environment Protection. County conservation districts play an integral role in the delivery of the products and services provided by the PA Chesapeake Bay Education office and conservation districts have established networks with local watershed organizations and are able to support their efforts. The 2008-09 grant will deliver products and services that enhance and support district activities related to the Tributary Strategy and the district's proposed County Implementation Plans.
4. **Technical Assistance through Conservation Districts (Technicians and Engineers):** Provide technical assistance for technicians and engineers to provide assistance to landowners in the Chesapeake Bay cost-share/special project program and to other agricultural landowners requesting technical assistance for development of Nutrient management Plans and BMPs.
5. **Financial Assistance for Nonpoint Source BMPs:** Provide funding to landowners to encourage voluntary adoption of agricultural best management practices (BMPs) to achieve measurable reductions in reducing nutrient and sediments that are critical to managing NPS pollution. This includes reducing nutrient and sediment pollution by installing stream bank fencing that prevents livestock access to waterways in the Chesapeake Bay watershed as well as other innovative BMPs. Conservation Districts contract with landowners and obligate cost share funds to implement BMPs to address the most critical nutrient management problems identified on the farm. This includes soil erosion control, surface water control, animal waste management, and management of various nutrients applied to cropland. The Chesapeake Bay cost share program has been ongoing since Pennsylvania entered the program in 1985.

12. DISCUSS PREVIOUS RECOMMENDATIONS/CONCERNS/OPEN PROGRAMMATIC FINDINGS, IF ANY EXIST; ARE THEY OR WILL THEY BE REMEDIED?:

a. If applicable, Previous Recommendations/Concerns listed in this Item 12 on Last Monitoring Review Report. Discuss if they will or will not be remedied?

Response: N/A

b. Open Programmatic Findings in Last Monitoring Review (Refer to Part II, Item 7, PO Suggestions and Recommendations). If applicable, are there any open programmatic findings for this Award in last monitoring review (could not provide a “closed date” on last monitoring review report because of major finding(s))? Provide date of resolution and explanation on how finding(s) have been resolved.

Response: N/A

RESULTS OF REVIEW WITH RECOMMENDATIONS (success & findings) - PART II

1. Scope of Review: Summarize the purpose of your review.

If appropriate, list issues that will be raised for resolution during the review (e.g., need response on why the recipient spent half of the grant award and hasn't produced a literature review).

Response: The purpose of this review is to determine progress on the variety of projects completed under the FY'08-09 Implementation Grant from 7/1/10- 6/30/11. PA submitted their final report under this grant on 10/3/11. EPA accepted the report on 10/18/11. This review is based upon the report.

2. Financial: POs are responsible for:

>Analyzing the budget information in the reports by reviewing the payment history (using recipient progress reports, Financial Status Reports, or Financial Data Warehouse reports) and comparing actual amounts spent against the planned budget in the work plan.

>Providing rebudget approval to the Grants Specialist on the recipients request to rebudget grant funds or on other actions which require prior approval from EPA.

PO to Review, Discuss, and Respond:

a. Is this award incrementally funded? Response: yes

b. Has the recipient begun work under this assistance agreement? Response: yes

c. Ensure funds are available to complete the project: Final FFR approved on 8/23/11

Answer the following:

*Amount of EPA funds awarded: \$2,287,000

*Amount of EPA funds paid: \$2, 287,000

*Remaining Balance: \$0

% of Project Completed: 100%

% of Funds Paid: 100%

* Information found on Financial Data Warehouse Report at

http://oasint.rtpnc.epa.gov/neis/grant_web.grant_inquiry

d. Has the recipient made any drawdowns on this award since the award date or last monitoring review? Response: yes

e. Is the payment history consistent with the progress to date? Response: yes

f. Are the expended and remaining funds reasonable? Response: Yes. Grant was amended once to extend the budget/project period in order to increase time to spend all funds. All funds have since been spent.

g. Does this review indicate any need to amend the award? Response: no, grant was already amended once to extend the budget/project period in order to increase time to spend all funds. All funds have since been spent.

- **Verify with recipient if there is enough funding in place to cover expected costs?** If no, provide explanation. (*Contact either Lori Mackey or Ronnie Kuczynski for assistance to possibly add funds*)

Response: yes

- **Are the Project/Budget Period(s) long enough to cover the time that it will take to complete the project?** If no, provide explanation. (*Contact either Lori Mackey or Ronnie Kuczynski for assistance prior to requesting time extension request from recipient.*)

Response: yes Grant was amended once to extend the budget/project period in order to increase time to spend all funds. All funds have since been spent.

h. Does the recipient require any PO/Grant Office approvals/amendments for cost or activities not included in the original award? Respond to the following:

- **Significant changes or re-budgeting over 10% of award total (as applicable).** Response: No
- **Re-budgeting between direct and indirect costs (Part 30 or 31 recipients only).** Response: No
- **Equipment costs not included in the original award.** Response: no
- **Changes in key personnel.** Response: no
- **Unplanned travel expenses** Response: no
- **Changes in the project's approved scope of work.** Response: no

3. Technical: POs are responsible for:

- > *comparing the recipient's work plan/application to actual progress under the award.*
- > *monitoring all activities and the recipient's progress on the project.*
- > *providing comments to the recipient on the progress reports and other work products.*
- > *apprizing program staff who are responsible for parts of the project/program on issues which need resolution.*
- > *recommending actions that require the attention of Grants Office or others.*

a. List work plan/application tasks, compare to actual work progress, and identify areas of concern cited in the progress report. Provide a summary of each task and current status:

Response:

#	Objective	FY'08 (Status as of 6/30/11)
1	Program Management, Evaluation, and Planning	COMPLETED
2	TMDL Development (PA DEP, SRBC)	COMPLETED
3	Chesapeake Bay Education	COMPLETED
4	Technical Assistance Program	COMPLETED
5	CB Cost Share Program (CD)	COMPLETED

b. Is the work under the agreement on schedule?

Response: Yes.

c. Is the actual work being performed within the scope of the recipient's work plan? Response: yes.

d. Are the recipient's staff and facilities appropriate to handle the work under the agreement?

Response: yes

e. Based upon the progress reports and this review, is the recipient:

- **Generally submitting progress reports as required in the award and on time?** Response: yes
- **Submitting products/progress reports that are acceptable?** Response: yes
- **Has the recipient been notified in writing that the products/progress reports received to date are acceptable or not acceptable and the project file documented accordingly? If not, please notify the recipient and document the project file as a result of this monitoring review.**

Response: yes

- **Meeting milestones and/or targets described in the award and/or scope of work?**

Response: Yes. However, the project/budget end-date was extended 1 time because implementation of certain best management practices took longer than anticipated

Note: Questions f. and g. pertain to environmental results. If your grant was awarded on or after January 1, 2005, the official date the Environmental Results Policy became effective, answer both g. and h. The CBP Grant and Cooperative Agreement Guidance states that the recipient is required to attach to each applicable performance report (semi-annual, quarterly, or final) an updated Work Plan and Progress Made Performance Results Under Assistance Agreements Form that was submitted with the grant application. If

not received, obtain copy from recipient to assist in responding to questions g. and h. and to document file. If your grant was awarded prior to January 1, 2005, answer both questions as "NA".

f. Is the recipient making agreed-upon progress in meeting environmental results and/or environmental outcomes and outputs (to the maximum extent practicable)

Response: Yes. However, the project/budget end-date was extended 1 time because implementation of certain best management practices took longer than anticipated.

g. If the recipient is experiencing significant problems meeting agreed-upon outcomes and outputs, has the recipient been required to develop and implement a corrective action plan?

Response: No significant problems.

4. Agreement Specific: POs to discuss which areas apply to this agreement, otherwise, NA:

>Reviewing progress reports and other work products to assure that the recipient is complying with the applicable programmatic regulations and programmatic terms and conditions in the agreement.

> Notifying Grants Office if the recipient is not complying with the terms and conditions of the agreement,

> Providing technical assistance to recipients when requested or required by the programmatic terms and conditions of the award.

>Assisting the recipient, where appropriate, with the development of a plan to conduct subsequent portions of the project.

a.) Pre-Award Costs:: (For more information on pre-award costs, please review: 1) GPI-00-02 (a) entitled, "Clarification on GPI 00-02 Modification to Policy Guidance for 40 CFR Part 31 Pre-Award Costs," (May 3, 2000); 2) 40 CFR 30.25(f)(1) or 40 CFR 30.28 and; 3) 40 CFR 31.23.)

• **Did the recipient incur costs prior to receiving the award?** Response: yes

• **If so, was the recipient's written request approved by the PO, file documented, and included on the assistance agreement?** Response: yes

b.) Programmatic Conditions, Regulatory, and Statutory Requirements:

1. Programmatic Conditions:

a. Is the recipient complying with applicable programmatic terms and conditions of the award?

Response: yes

b. Has the recipient submitted Quality Assurance Project Plan (s) (QAPP)? If not applicable, list N/A? Response: yes

c. Has the recipient submitted Quality Management Plan(s) (QMP)? If not applicable, list N/A?

Response: yes

d. If applicable, is an approved QMP/QAPP plan documented in file? Response: yes

e. Are all personnel responsible for implementing the QMP/QAPP familiar with its requirements? Response: yes

2. Statutory and Regulatory Requirements: *(Statutory pertains to Clean Water Act, Sec 117; Regulatory pertains to 40 CFR Part 30 for Non-Profit Organizations and Universities and Part 31 for State and Local Governments.)*

a. Have all Statutory requirements been met?

Response: In support of the Clean Water Act, Section 117, this project supports achievement of nutrient and sediment reductions from point and non point sources, including agricultural sources to help meet annual performance goals SP35, SP36 and SP37, which is in support of Chesapeake 2000 Agreement - Water Quality Protection & Restoration - to achieve and maintain the Water Quality necessary to support the aquatic living resources of the Bay and its tributaries and to protect human health.

b. Have all Regulatory requirements been met? *(Use this statement provided the requirements in the applicable 40 CFR Part 30 or 31 requirements are being met.)*

Response: All regulatory requirements are being met.

c.) Equipment/Supplies:

1. Did the recipient purchase equipment as planned in the agreement and was it used as planned? Response: N/A

2. Did the recipient purchase supplies as planned in the agreement and was it used as planned? Response: Yes.

d.) Travel: Was this authorized in the agreement and was it carried out appropriately? Response: yes

e.) Conferences: Did the conference comply with the Best Practices Guide for Conferences? Response: N/A

f.) Contracting practices: Written Code of Conduct/Ethics: Federal regulations require recipients to establish codes of conduct to eliminate any potential conflict of interest and to establish disciplinary actions for those violating the standards. *Note: (The minimum requirements are outlined in 40 CFR 30.42, Non-Profit Organizations, Universities; 40 CFR 31.36(3), State and Local Governments.)*

1. Contractual Costs: Were contractual/subcontract costs authorized in the assistance agreement? Costs must be approved in the contractual budget category in the assistance agreement. Response: yes

a. If yes, answer the following questions:

- are costs consistent with the approved work plan? yes
- budget category reflects funds for contracting? yes
- the recipient reprogrammed funds to contracting? no
- subcontracts SOW consistent with scope of the assistance agreement? yes

2. Does grant recipient have written contracting procedures? Response: yes – they are attached to all DEP contracting documents.

3. Competition: Was the contract competed/sole source; files documented? Response: yes

g. Subawards: Subaward Policy, effective May 15, 2007, requires all new awards and supplemental amendments awarded on or after May 15, 2007 must meet the requirements of the Directive. Subaward costs must be included under the “Other” budget cost category in the assistance agreement.

1. Does the work plan contain subaward work? Response: yes

a. If yes, does the recipient have subawards pertinent to the agreement/amendment work plan? Response: yes

b. If yes, is the recipient complying with the subaward policy requirements? yes

h.) Program Income: (POs must work with the recipient to resolve program-income related issues on agreements that generate program income.)

- Did the project generate unanticipated program income? Response: N/A

i.) EPA-Furnished In Kind: Was this satisfactorily used in the assistance agreement? Response: N/A

j.) Recipient Furnished/Third Party In Kind:

- Met the conditions under 40 CFR 30.23 and 40 CFR 31.24? Response: yes
- Were any adjustments made to the cost share? Response: no

5. Closeout Process (Applicable to Closeout Review): Closeout of the award occurs when all applicable administrative actions and all required work of the grant has been completed.

Note: (Project Officer should be aware of the recipients responsibility in the closeout process and review the general regulations (40 CFR 30.71 Universities & Non-Profits and 40 CFR 31.50 State and Local Governments) on Closeout Requirements with grantee.)

a. Are any funds remaining? If so, why and what tasks were not completed? Response: no

b. Has the Final Technical Report been submitted, reviewed, and approved? Response: yes

c. Equipment/Supplies: *Project Officers should be aware and review with the recipient the disposition requirements outlined in 40 CFR 30.34 and 30.35 for Non-Profit Organizations and Universities; 40 CFR 31.32 and 31.33 for State and Local Governments. If the recipient no longer needs the equipment, please request from the recipient a list of equipment purchased, its fair market value and date of purchase.*

- Is the recipient keeping the equipment? Response: N/A

- Is the recipient keeping the supplies? Response: yes; they plan to use any leftovers in the other CBIG.

6. Based upon PO review and knowledge of this award, does PO recommend:

a. Award Amendment: Prior to responding, refer back to Part II, Items 2g & 2h on this report. Response: no

b. Advanced Programmatic Monitoring: If needed, discuss with Lori or Ronnie to either add to current list, if not already on, or next year's PO Advanced Programmatic Monitoring List in the Post Award Monitoring Plan. Response: no

c. Administrative Review completed by Grants Office: Respond "No". If major concerns exist to check "Yes", discuss with Lori or Ronnie prior to responding to this question. Response: no

d. OIG Referral: Respond "No" If major concerns exist to check "Yes", discuss with Lori or Ronnie prior to responding to this question. Response: no

e. More Frequent Baseline Monitoring Reviews (less than every six months) Response: no

7. Project Officer Suggestions and Recommendations (define as either major or minor):

Note: (Recommendations should have corresponding routes to/for resolution specified in report.

Also, when major recommendations are made, EPA should explicitly require the recipient to develop and submit a corrective action plan to address the major recommendation.)

Response: no

8. Recipient Recommendations and Suggestions: None

9. Identify any areas where the recipient is significantly meeting or exceeding programmatic expectations: Response: Due to the allowed extension of the budget/project period, grantee was able to exceed many projected outputs:

<u>Projected Outputs:</u>		<u>Accomplished</u>
No Till	10,000 Acres	11,028 (+ 1028 acres)
Cover Crops	8,100 Acres	8,518 (+ 418 acres)
Streambank Fencing	5,000 feet	50,031 (+45,031 feet)*
* additionally, 5 stream crossings and 1 spring development installed.		

10. Recommendations for the Grants Office, if any: Response: N/A

RESOLUTION PLAN AND TIMING - PART III

Prepare Corrective Action Plan, if applicable, to address major recommendation(s):

1. Tell the recipient when the corrective action plan is due, and clearly state what should be addressed.

2. Tell the recipient to whom they should send the corrective action plan (EPA contact) and where to send it, including phone number.

Response: N/A

Note:

1. Send a electronic copy of protocol to the recipient for comment.

2. cc: Ronnie Kuczynski

(Also, send to Ronnie any follow-up letters sent to recipient, and relevant e-mail messages)